



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/770,693	01/26/2001	Steven V. Beer	19603/2501 (CRF D-2375A)

CONFIRMATION NO. 6816

## FORMALITIES LETTER



\*OC000000006008625\*

Michael L. Goldman  
 NIXON PEABODY LLP  
 Clinton Square  
 P. O. Box 31051  
 Rochester, NY 14603

Date Mailed: 04/26/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice MUST be returned with the reply.

07/16/2001 AZERG8H1 0000127 09770693 65.00 IP  
 01 FC:205

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Deer et al.

Serial No. : 09/770,693

Cnfm. No. : 6816

Filed : January 26, 2001

For : **OOMYCETE-RESISTANT TRANSGENIC PLANTS BY VIRTUE OF  
PATHOGEN-INDUCED EXPRESSION OF A HETEROLOGOUS  
HYPERSENSITIVE RESPONSE ELICITOR**

TRANSMITTAL LETTER

Assistant Commissioner For Patents  
Washington, D.C. 20231  
**Box: Missing Parts**

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on **April 26, 2001**, enclosed are:

- ☒ Two Combined Declaration and Power of Attorney forms.
- ☒ A Request for One-Month Extension of Time.
- ☒ Submission of Corrected Formal Drawings (with 6 sheets).
- ☒ Applicants claim small entity status. (See 37 CFR 1.27.)
- ☒ A copy of the Notice to File Missing Parts.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ Fees as calculated below:

FEE FOR ONE-MONTH EXTENSION OF TIME	<b>\$55.00</b>
SURCHARGE 37 CFR 1.16(e)	<b>\$65.00</b>
TOTAL FEES SUBMITTED HERewith	<b>\$120.00</b>

- ☒ A check in the amount of **\$120.00** to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: July 10, 2001

Nixon Peabody LLP  
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Rochester, New York 14603  
Telephone: (716) 263-1128  
Facsimile: (716) 263-1600

R503743.1

Edwin V. Merkel  
Edwin V. Merkel  
Registration No. 40,087

**Certificate of Mailing - 37 CFR 1.8 (a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.

7/10/01  
Date

Wendy L. Harrold  
Wendy L. Harrold



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PATENT  
Docket No.: 19603/2501 (CRF D-2375A)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Beer et al.	}	Examiner:
Serial No.	: 09/770,693	}	To Be Assigned
Cnfrm. No.	: 6816	}	Art Unit:
Filed	: January 26, 2001	}	To Be Assigned
For	: OOMYCETE-RESISTANT TRANSGENIC PLANTS BY VIRTUE OF PATHOGEN-INDUCED EXPRESSION OF A HETEROLOGOUS HYPERSENSITIVE RESPONSE ELICITOR	}	

**SUBMISSION OF CORRECTED FORMAL DRAWINGS**

Assistant Commissioner for Patents  
Washington, D.C. 20231


**Box: Missing Parts**

Dear Sir:

Enclosed for filing in the subject application are 6 sheets of corrected formal drawings.

Respectfully submitted,

Date: July 10, 2001

  
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Edwin V. Merkel  
Registration No. 40,087

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